

After 9 months of investigation with numerous witnesses and thousands of documents, including financial disclosure forms, bank records, court documents and all materials referenced in the Palm Beach Post articles, the investigators and analyst determined no crime under existing law had been committed and there was no criminal predicate to warrant an interview with Judge Colin or Ms. Savitt. In addition, since only Judge Colin held a public office, the Public Corruption Unit had limited oversight and jurisdiction over the finances of Ms. Savitt, a private citizen. Because of law enforcement's conclusions that no crime had been committed, our prosecutors were never provided a probable cause affidavit to initiate a potential prosecution.

We would like nothing more than to prosecute cases of guardianship abuse against vulnerable individuals, but it is unethical to charge defendants unless there is a good faith basis to believe the State can prove the case beyond a reasonable doubt. The investigation was thorough and the burden of proof is high, which led four different, experienced sets of eyes, over 9 months, to conclude that criminal charges could not be filed.

Our decision not to file criminal charges was further validated by the Administrative Law judge's recent ruling, which recommended dismissal of charges of conflicts of interest and improper fees. Importantly, the burden of proof in that case (clear and convincing evidence) was lower than our burden of proof (beyond a reasonable doubt) in criminal law. If administrative charges against Judge Colin and Ms. Savitt are dismissed under a lower burden of proof, then it is unethical for prosecutors to bring criminal charges under a higher burden of proof.